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7 Attorneys for Defendant:
HPC BLACKSTONE INVESTORS, LP
8

9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 * * *

12 GEORGE AVALOS, an individual)
13)

14 Plaintiff,)

15 vs.)

16 HPC BLACKSTONE INVESTORS, LP,)
a California limited partnership; and)
17 DOES 1-10, inclusive)

18 Defendants.)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

NO. 1:20-cv-01385-DAD-SKO

**DEFENDANT, HPC BLACKSTONE
INVESTORS LP , REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
MOTION TO DISMISS UNDER
F.R.C.P. RULE 12(b)(6) AS TO
PLAINTIFF’S COMPLAINT**

Date: January 19, 2021

Time: 9:30 a.m.

Courtroom: 5, 7th Floor

Judge: Honorable Dale A. Drozd

1 Pursuant to Federal Rules of Evidence § 201(b)(2), Defendant respectfully requests that
2 this Court take judicial notice of the following documents:

3 1. A true and accurate annotated copy of the Pacer search for Plaintiff, GEORGE
4 AVALOS, which is attached hereto as **Exhibit A**.

5 2. A true and accurate annotated copy of the Pacer search for Plaintiff's attorney,
6 JOSEPH MANNING, which is attached hereto as **Exhibit B**.

7 DATED: December 18, 2020

HATMAKER LAW GROUP

8 By /s/ Rachelle Taylor Golden

9 RACHELLE TAYLOR GOLDEN

10 Attorney for Defendant,

11 HPC BLACKSTONE INVESTORS, LP
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EXHIBIT “A”

Select A Case**George Avalos is a plaintiff in 38 cases.**

<u>1:20-cv-01380-AWI-EPG</u>	Avalos v. Nostalgias Star LLC	filed 09/30/20
<u>1:20-cv-01381-DAD-EPG</u>	Avalos v. SVP Partners, LLC et al	filed 09/30/20
<u>1:20-cv-01382-NONE-SAB</u>	Avalos v. Bank of the Sierra	filed 09/30/20
<u>1:20-cv-01383-NONE-BAM</u>	Avalos v. 5561 Sultana, LLC	filed 09/30/20
<u>1:20-cv-01385-DAD-SKO</u>	Avalos v. HPC Blackstone Investors, LP	filed 09/30/20
<u>1:20-cv-01388-DAD-EPG</u>	Avalos v. O CHK, Inc.	filed 09/30/20
<u>1:20-cv-01389-NONE-SKO</u>	Avalos v. D Boys Enterprises Inc. et al	filed 09/30/20
<u>1:20-cv-01391-AWI-EPG</u>	Avalos v. Fara et al	filed 09/30/20
<u>1:20-cv-01392-NONE-SAB</u>	Avalos v. Western Mobile Glass et al	filed 09/30/20
<u>1:20-cv-01395-AWI-BAM</u>	Avalos v. Macerich Fresno Limited Partnership	filed 09/30/20
<u>1:20-cv-01436-DAD-SKO</u>	George Avalos v. The Desmond Family Real Estate Limited Partnership	filed 10/08/20 closed 11/18/20
<u>1:20-cv-01437-DAD-EPG</u>	George Avalos v. Bridgestone Americas, Inc. et al	filed 10/08/20
<u>1:20-cv-01545-DAD-</u>	Avalos v. SSS Hospitality Investments Inc. et al	filed 10/30/20

Exhibit A

[SKO](#)

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[1:20-cv-01546-AWI-SAB](#)

Avalos v. Evergreen Joint Ventures, LLC

filed 10/30/20

[1:20-cv-01548-NONE-SAB](#)

Avalos v. MMDEOL Incorporated, et al.

filed 10/30/20

[1:20-cv-01570-NONE-EPG](#)

Avalos v. Olivewood Plaza, et al.

filed 11/06/20

[1:20-cv-01571-DAD-SAB](#)

Avalos v. Franco De Pizano et al

filed 11/06/20

[1:20-cv-01572-NONE-BAM](#)

Avalos v. Wa Re, Inc., et al.

filed 11/06/20

[1:20-cv-01574-AWI-SKO](#)

Avalos v. Olivewood Plaza Two, LLC

filed 11/06/20

[1:20-cv-01576-AWI-EPG](#)

Avalos v. 3K Investment Company, LLC

filed 11/09/20

[1:20-cv-01578-NONE-BAM](#)

Avalos v. Gonzalez et al

filed 11/09/20

[1:20-cv-01580-NONE-SKO](#)

Avalos v. Buhl Properties, LLC

filed 11/09/20

[1:20-cv-01581-DAD-SAB](#)

Avalos v. BBVA USA et al

filed 11/09/20

[1:20-cv-01590-DAD-EPG](#)

Avalos v. King of Central Valley, L.P.

filed 11/12/20

[1:20-cv-01592-NONE-SKO](#)

Avalos v. Simonyan Holdings LLC

filed 11/12/20

[1:20-cv-01594-AWI-SKO](#)

Avalos v. Yam et al

filed 11/12/20

[1:20-cv-01599-NONE-SAB](#)

George Avalos v. Nino's Tierra LLC

filed 11/12/20

Exhibit A

[1:20-cv-01601-NONE-EPG](#)

Avalos v. Virk Properties, Inc.

filed 11/13/20

[1:20-cv-01602-NONE-SKO](#)

Avalos v. Sidhu, et al.

filed 11/13/20

[1:20-cv-01604-NONE-EPG](#)

George Avalos v. J & D Properties

filed 11/12/20

[1:20-cv-01605-DAD-SAB](#)

George Avalos v. East Africa Humanitarian Organization Properties, Inc.

filed 11/12/20

[1:20-cv-01669-DAD-BAM](#)

Avalos v. Musasaid, et al.

filed 11/23/20

[1:20-cv-01700-NONE-JLT](#)

Avalos v. Ming Retail Plaza LLC

filed 12/03/20

[1:20-cv-01701-NONE-JLT](#)

Avalos v. Center Properties (Valley Village), L.P.

filed 12/03/20

[1:20-cv-01702-NONE-JLT](#)

Avalos v. 2428392 Inc. et al

filed 12/03/20

[1:20-cv-01703-NONE-JLT](#)

George Avalos v. Peter P. Bollinger 2003, LLC

filed 12/03/20

[1:20-cv-01709-AWI-JLT](#)

George Avalos v. Ming Plaza Associates, L.P.

filed 12/03/20

[1:20-cv-01711-NONE-JLT](#)

George Avalos v. R & R Valley Square No. 2 LLC

filed 12/03/20

PACER Service Center			
Transaction Receipt			
12/07/2020 16:30:10			
PACER Login:	rgolden295385:6297330:0	Client Code:	1402.05
Description:	Search	Search Criteria:	Last Name: Avalos First Name: George
Billable Pages:	2	Cost:	0.20

EXHIBIT “B”

Removal of TLS 1.1 on November 15, 2020

The PACER Service Center will disable TLS 1.1 on November 15, 2020. Our servers will refuse connections using TLS 1.1 and lower from that date.



Party Search Results

Search Criteria: Party Search; Date Filed (On or After): [09/30/2019]; Date Filed (On or Before): [09/30/2020]; Last Name: [Manning]; First Name:

[Joseph]; Party Role: [ATY]

Result Count: 965 (18 pages)

Current Page: 1

Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv00383
Case Title	Suzanne Na Pier vs Jack E. Reynolds, et al
Court	California Eastern District Court
Date Filed	03/13/2020
Date Closed	06/08/2020
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01380
Case Title	Avalos v. Nostalgias Star LLC
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01381
Case Title	Avalos v. SVP Partners, LLC et al
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01382
Case Title	Avalos v. Bank of the Sierra
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	

Exhibit B

Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01383
Case Title	Avalos v. 5561 Sultana, LLC
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01385
Case Title	Avalos v. HPC Blackstone Investors, LP
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01388
Case Title	Avalos v. O CHK, Inc.
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01389
Case Title	Avalos v. D Boys Enterprises Inc. et al
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01391
Case Title	Avalos v. Fara et al
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	

Case 1:20-cv-01385-DAD-SKO Document 15-2 Filed 12/18/20 Page 10 of 20

Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01392
Case Title	Avalos v. Western Mobile Glass et al
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	1:2020cv01395
Case Title	Avalos v. Macerich Fresno Limited Partnership
Court	California Eastern District Court
Date Filed	09/30/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	3:2019cv01895
Case Title	Rutherford v. Valley Parkway Vineyard LLC et al
Court	California Southern District Court
Date Filed	10/01/2019
Date Closed	12/26/2019
Party Name	Manning, Joseph R. (aty)
Case Number	3:2019cv02350
Case Title	Rutherford v. Chang et al
Court	California Southern District Court
Date Filed	12/09/2019
Date Closed	03/20/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2019cv02376
Case Title	Rutherford v. Felicita Village Shopping Center LLC et al
Court	California Southern District Court
Date Filed	12/11/2019
Date Closed	02/26/2020

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Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00285
Case Title	Rutherford v. Kapetanios et al
Court	California Southern District Court
Date Filed	02/14/2020
Date Closed	06/23/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00292
Case Title	Rutherford v. Madsen et al
Court	California Southern District Court
Date Filed	02/17/2020
Date Closed	04/13/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00293
Case Title	Rutherford v. Kelly et al
Court	California Southern District Court
Date Filed	02/17/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00327
Case Title	Rutherford v. WGS-3, LLC et al
Court	California Southern District Court
Date Filed	02/20/2020
Date Closed	04/10/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00686
Case Title	Rutherford v. Roosevelt/Tamarack Investments Property Holding, LLC et al
Court	California Southern District Court
Date Filed	04/09/2020
Date Closed	07/14/2020

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Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00688
Case Title	Rutherford v. Leal et al
Court	California Southern District Court
Date Filed	04/09/2020
Date Closed	
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00751
Case Title	Rutherford v. Ahadian et al
Court	California Southern District Court
Date Filed	04/20/2020
Date Closed	08/06/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv00826
Case Title	Rutherford v. Mandira Investments, LLC et al
Court	California Southern District Court
Date Filed	05/01/2020
Date Closed	09/15/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv01000
Case Title	Rutherford v. CFT Properties LLC et al
Court	California Southern District Court
Date Filed	06/01/2020
Date Closed	09/02/2020
Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv01010
Case Title	Rutherford v. Vista Palm Plaza LLC et al
Court	California Southern District Court
Date Filed	06/01/2020
Date Closed	09/02/2020

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Party Name	Manning, Joseph R. (aty)
Case Number	3:2020cv01226
Case Title	Rutherford v. Abs CA-O LLC et al
Court	California Southern District Court
Date Filed	06/30/2020
Date Closed	07/24/2020
Party Name	Manning, Joseph R. (aty)
Case Number	6:2020cv01270
Case Title	Greene v. Magical Cruise Company, Limited
Court	Florida Middle District Court
Date Filed	07/17/2020
Date Closed	
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01125
Case Title	Suzanne Na Pier v. Whittier Market Place, LP et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	08/19/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01126
Case Title	Suzanne Na Pier v. The Thielmann Corporation et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01127
Case Title	Suzanne Na Pier v. North Coast Business Park, A California Limited Partnership, et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	08/18/2020

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Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01128
Case Title	Suzanee Na Pier v. Wallace T. Morrison, et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01129
Case Title	Suzanne Na Pier v. Floadam, LLC et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	08/19/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	5:2020cv01281
Case Title	James Rutherford v. Marketplace On Grove LLC et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	08/12/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	5:2020cv01282
Case Title	James Rutherford v. Red Mountain Asset Fund I, LLC, et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	
Party Name	Manning, Joseph Richard (aty)
Case Number	5:2020cv01283
Case Title	James Rutherford v. 1600 E. 4th Street, LLC et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	11/19/2020

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Party Name	Manning, Joseph Richard (aty)
Case Number	5:2020cv01285
Case Title	James Rutherford v. Leonora Pierotti Thomas et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	09/10/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01130
Case Title	James Rutherford v. Melinda Ann Miller et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	11/10/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01131
Case Title	James Rutherford v. Global Partnership, LLC et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	10/29/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv01132
Case Title	James Rutherford v. Southside Investment Co., et al
Court	California Central District Court
Date Filed	06/26/2020
Date Closed	08/13/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2020cv01237
Case Title	Anthony Bouyer v. NJR Realty, LLC, et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	04/03/2020

Party Name	Manning, Joseph Richard (aty)
Case Number	2:2020cv01238
Case Title	Anthony Bouyer v. Ofer Shapira and Limor Benjamin, et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	04/29/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2020cv01239
Case Title	Anthony Bouyer v. Stockdale Holdigns I, LLC et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	05/12/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2020cv01240
Case Title	Carmen John Perri v. Bogos Kosedag et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	07/21/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2020cv01241
Case Title	Carmen John Perri v. Curtis Wilson Cost et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	08/10/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2020cv01242
Case Title	Carmen John Perri v. David Singh et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	03/20/2020

Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv00249
Case Title	James Rutherford v. AU Zone Santa Ana, LLC et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	07/08/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2020cv00250
Case Title	James Rutherford v. BBR Banker, LLC et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	05/07/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	5:2020cv00253
Case Title	James Rutherford v. Jack Benetatos et al
Court	California Central District Court
Date Filed	02/07/2020
Date Closed	09/10/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2019cv01884
Case Title	James Rutherford v. Lakeview Village Corp. et al
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	12/06/2019
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2019cv08458
Case Title	Abacuc Heras v. Birreria Gonzalez Restaurant Inc., et al
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	11/04/2019

Party Name	Manning, Joseph Richard (aty)
Case Number	8:2019cv01888
Case Title	James Rutherford v. President Hotel Investment LLC et al
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	02/21/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2019cv08465
Case Title	Carmen John Perri v. Winnie Soo Win Kho et al
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	05/05/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	8:2019cv01891
Case Title	James Rutherford v. Coastland Chapman Plaza, L.P. et al
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	09/11/2020
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2019cv08477
Case Title	Carmen John Perri v. Turners Outdoors Inc et al
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	12/23/2019
Party Name	Manning, Joseph Richard (aty)
Case Number	2:2019cv08482
Case Title	Carmen John Perri v. Breakwater LLC
Court	California Central District Court
Date Filed	10/01/2019
Date Closed	03/02/2020

PACER Service Center**Receipt** 12/07/2020 18:41:33 948541715**User** rgolden295385**Client Code** 1402.05**Description** All Court Types Party Search

All Courts; Name Manning, Joseph; Role aty; All
Courts; Date Filed 09/30/2019 to 09/30/2020;
Page: 1

Billable Pages 1 (\$0.10)

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PROOF OF SERVICE

I am employed in the County of Fresno, California; I am over the age of eighteen years and not a party to the within cause; my business address is: 7522 N. Colonial Avenue, Fresno, CA 93711.

On December 18, 2020, I served the foregoing document(s) described as:

**DEFENDANT, HPC BLACKSTONE INVESTORS LP, REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF MOTION TO DISMISS UNDER F.R.C.P. RULE 12(b)(6) AS
TO PLAINTIFF'S COMPLAINT**

on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

MANNING LAW, APC

Joseph R. Manning, Jr.

20062 SW Birch Street, Ste. 200

Newport Beach, CA 92660

Ph: (949) 200-8755

Email:

DisabilityRights@manninglawoffice.com

Attorneys for Plaintiff, George Avalos

____ (By U.S. Mail) I caused each envelope, with postage fully prepaid, to be placed in the designated area for outgoing mail in accordance with this office's practice, whereby mail is deposited in a U.S. mailbox in the City of Fresno, California after the close of the day's business.

____ (By Facsimile) I caused this document to be delivered via facsimile to the numbers set forth below.

X (By Electronic Service) - I caused a true and correct copy of the document(s) described above to be uploaded to the Court approved case management system, and served electronically to all parties listed above.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct. Executed on December 18, 2020, at Fresno, California.

By: /s/ Tiffany Holmberg
TIFFANY HOLMBERG